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Susan Finucan

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SUSAN FINUCAN, an individual,

Plaintiff

vs.

CITY OF LAS VEGAS, a political
subdivision of the State of Nevada;
SCOTT ADAMS, individually and in his
official capacity,

Defendants

Case No. 2:21-cv-00198-CDS-DJA

**STIPULATION AND ORDER TO
DISMISS WITH PREJUDICE**

On January 8, 2021, Susan Finucan sued the City of Las Vegas and Scott Adams in the Eighth Judicial District for the State of Nevada.

The matter was removed to the U.S. District Court for the District of Nevada and assigned case number 2:21-cv-0198.

On December 11, 2023, trial began with an eight-person jury.

On December 15, 2023, Plaintiff rested her case-in-chief.

Thereafter, Defendants moved for judgment as a matter of law pursuant to Rule 50(a).

Presiding Judge Cristina D. Silva granted the requested relief as to all

claims against the City of Las Vegas and Scott Adams.

Thereafter, the parties agreed:

1. This Order and Agreement be a final resolution between Finucan and Defendants on all the Parties' claims against one another, including but not limited to Finucan's claims against the City of Las Vegas and Scott Adams. This Order is a final resolution of this lawsuit, any appeals, new trial, judgment amendment, reconsideration, in exchange for this agreement;
2. Finucan dismiss with prejudice, with each side to bear their own costs and fees, the Employee Management Review Board (EMRB) action and waives all right of appeal, reconsideration; and
3. Finucan forever waives and discharges all claims brought in this action against the City of Las Vegas and its current and former elected officials, employees, and agents.
4. Defendants withdraw their Motion for Attorney's Fees and Costs and forever waives and discharges such claims.
5. Defendants withdraw their Bill of Costs and forever waives and discharges such claims.

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1 Therefore and with good cause shown, the Parties further stipulate that the
2 Court dismiss this matter with prejudice with each party to bear its own costs and
3 attorneys' fees incurred in relation to this matter. The Parties further stipulate that
4 the Court vacate all remaining calendar dates as moot.

5 Respectfully submitted this 22nd day of February 2024.

6 GABROY | MESSER

LAS VEGAS CITY ATTORNEY'S OFFICE

7 By: /s/ Christian Gabroy
Christian Gabroy, Esq.
8 Kaine Messer, Esq.


By: /s/ Timothy J. Geswein
Timothy J. Geswein, Esq.
Nechole M. Garcia, Esq.

9 *Attorneys for Plaintiffs*
Susan Finucan

Attorneys for Defendants
City of Las Vegas and Scott Adams

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12 Based on the parties' stipulation, this case is dismissed with prejudice, with each
13 party to bear its own costs and fees.

14 IT IS ORDERED that defendants' motion for attorneys' fees [ECF No. 100] is
15 DENIED as moot, and the hearing set on February 27, 2024 at 10:00 a.m. is vacated.
16 The Clerk of Court is kindly instructed to close this case.

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UNITED STATES DISTRICT JUDGE

20 Dated: February 22, 2024
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